

1 ROBERT S. BREWER, JR. (SBN 65294)  
E-mail: [rbrewer@mckennalong.com](mailto:rbrewer@mckennalong.com)  
2 ROBERT J. LAUCLAN, JR. (SBN 118545)  
E-mail: [rlauchlan@mckennalong.com](mailto:rlauchlan@mckennalong.com)  
3 MCKENNA LONG & ALDRIDGE LLP  
750 B Street, Suite 3300  
4 San Diego, CA 92101  
Telephone: (619) 595-5400  
5 Facsimile: (619) 595-5450

6 Attorneys for Defendant,  
MOHAMMAD MAYSSAMI  
7

8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**  
10 **SAN JOSE DIVISION**  
11

12 UNITED STATES OF AMERICA,  
13 Plaintiff,  
14 v.  
15 MOHAMMAD MAYSSAMI,  
16 Defendant.  
17

Case No. 5:07-cr-00760-RMW (PVT)

**APPLICATION FOR RETURN OF  
IRANIAN AND UNITED STATES  
PASSPORTS OF MR. MAYSSAMI;  
DECLARATION OF COUNSEL**

HON. PATRICIA V. TRUMBULL

18  
19 Defendant Mohammad Mayssami hereby applies to the Court for an order authorizing that  
20 both his Iranian and United States passports be returned to him.

21 Mr. Mayssami previously surrendered both his Iranian and United States passports to the  
22 Court.

23 On April 28, 2008, at his probation hearing and sentence, he received a probationary  
24 sentence, with no period of imprisonment, intermittent confinement, community confinement,  
25 electronic monitoring or home detention.

26 Mr. Mayssami's parents and other relatives reside in Iran.

27 International travel is sometimes beneficial in the course of Mr. Mayssami's diamond  
28 business.

1 Undersigned counsel has spoken with Assistant United States Attorney Gary G. Fry, who  
2 has no objection to the defense request that the Court return to Mr. Mayssami both his Iranian and  
3 United States passports.

4 This application is based upon this declaration of undersigned counsel, filed and served  
5 herewith.

6 By signing and filing this application, I hereby declare under penalty of perjury that the  
7 facts asserted in support of the request are true and correct

8  
9 Dated: April 29, 2008

Respectfully submitted,

10 MCKENNA LONG & ALDRIDGE LLP

11 

12 ROBERT S. BREWER, JR.

13 ROBERT J. LAUHLAN, JR.

Attorneys for Defendant MOHAMMAD MAYSSAMI

14 SD:22164853.1  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 U.S. v. Mohammad Mayssami  
2 Case No. 5:07-cr-00760-RMW (PVT)

3 **CERTIFICATE OF SERVICE**

4 I hereby certify that a copy of the following document(s):

- 5 ▪ **APPLICATION FOR RETURN OF IRANIAN AND UNITED STATES**  
6 **PASSPORTS OF MR. MAYSSAMI; DECLARATION OF COUNSEL**  
7 ▪ **[PROPOSED] ORDER AUTHORIZING RETURN OF IRANIAN AND**  
8 **UNITED STATES PASSPORTS**

- 9 ☒ was served upon all counsel of record via CM/ECF as indicated/listed on the United States  
10 District Court, Northern District of California's CM/ECF registered email list in the above-  
11 referenced matter (as set forth below):

12 *Attorneys for Plaintiff*  
13 *United States of America*

Gary G. Fry, Esq.  
Assistant United States Attorney  
United States Attorney's Office  
150 Almaden Boulevard, Suite 900  
San Jose, CA 95113  
(408) 535-5061 / Fax (408) 535-5066  
[Gary.Fry@usdoj.gov](mailto:Gary.Fry@usdoj.gov)

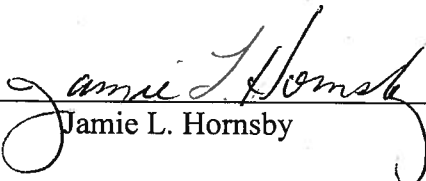
- 14 ☒ via personal service, overnight mail (VIA UPS Overnight), facsimile, first class mail or  
15 e-mail, as indicated below:

16 *United States Probation Office*

17 Mr. Brian D. Casai, U.S. Probation Officer  
18 United States Probation Office  
19 1301 Clay Street, Suite 220S  
20 Oakland, CA 94612-5208  
Telephone: (510) 637-3600  
Facsimile: (510) 637-3625

21 *Via Facsimile and U.S. Mail*

22 Executed this 29<sup>th</sup> day of April, 2008, at San Diego, California.

23   
24 \_\_\_\_\_  
25 Jamie L. Hornsby

26 SD:22164892.1